

REMARKS

This application is in condition for allowance for the reasons discussed below.

Status of the Claims

Claims 5, 6, 9, 13-16 and 18-21 remain pending in the application.

Claim Rejections-35 USC §103

Claims 5, 6, 9, 13-16 and 18-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over CARBO et al. U.S. Patent No. 4,507,339 (CARBO) in view of UCHIDA et al. U.S. Patent No. 4,248,676 (UCHIDA) and OHMI US Patent No. 5,656,099 (OHMI). This rejection is respectfully traversed.

The position of the Official Action was that Applicant's previous arguments of January 31, 2011 were not found persuasive. The reason given was that OHMI teaches a chromium oxide film whose thickness is 20 Å (2nm) or more, and, in Figure 7, OHMI shows a chromium oxide film whose thickness is about 400 Å (40nm).

However, Applicant respectfully notes that this reason stated in the Official Action was based on a factual error: the "400" found in Figure 7 does not refer to a thickness.

The number "400" in Figure 7, which corresponds to the highest portion of the plot, refers to the height of the CI

Peak, which is a corrosion-resistant index, as labeled on the axis on the right side of Figure 7. The left side of Figure 7 refers to the thickness, and, accordingly, Figure 7 does not show a chromium film with a thickness larger than 210 Å (21 nm).

Thus, the position maintained by the Official Action was based on a factual error, and reconsideration of the arguments of January 31, 2011 and withdrawal of the rejection is respectfully requested.

Conclusion

In view of the foregoing remarks, the application is in condition for allowance at the time of the next Official Action. Allowance and passage to issue on that basis is respectfully requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Robert A. Madsen/
Robert A. Madsen, Reg. No. 58,543
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

RAM/lrs